

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Nina LEWIS et al.

Serial No.: 10/086,103

Filing Date: February 27, 2002

For: METHOD AND SYSTEM FOR
IMPLEMENTING SHARED SCHEMAS
FOR USERS IN A DISTRIBUTED
COMPUTING SYSTEM



Confirmation No.: 2757

Examiner: Cam Linh T. Nguyen

Group Art Unit: 2161

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 198, the items identified in this Information Disclosure Statement (IDS) are being brought to the attention of the Office. The items are listed on the attached forms PTO/SB/08a and PTO/SB/08b. The Examiner is requested to make these documents of record.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

1. Timing of the Information Disclosure Statement:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) with the new patent application submitted herein (37 CFR § 1.97(a)); or (2) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (3) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (4) before the mailing of a first Office action on the merits; or

(5) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- ☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

- ☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.
- ☐ The fee due under 37 CFR § 1.17(p) is being concurrently submitted with the filing of an electronic IDS submission. Thus, no additional fee is required.
- ☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

STATEMENT UNDER 37 CFR § 1.97(e):

- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement

after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

2. Copies of the Cited Items:

☒ Copies of all of the items listed on the attached forms PTO/SB/08a and PTO/SB/08b are enclosed.

☐ Copies of only the following items listed on the attached forms PTO/SB/08a (Item Nos. *) and PTO/SB/08b (Item Nos. *) are enclosed.

☐ Copies of the following items listed on the attached form PTO/SB/08a (Item Nos. *) are not enclosed. See 37 CFR 1.98(a)(2)(i).

☐ Copies of the following documents listed in PTO/SB/08a (Item Nos. *) and PTO/SB/08b (Item Nos. *) are not supplied as they were previously cited by the Office or submitted in Information Disclosure Statements in related applications (Application No. *, filed *) and relied upon in this application for an earlier filing date under 35 USC § 120. See 37 CFR § 1.98(d). The Examiner is requested to make these documents of record.

☐ Copies of the following items listed on the attached forms PTO/SB/08a (Item Nos. *) and PTO/SB/08b (Item Nos. *) were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

3. Concise Explanation of Relevance:

☒ A concise explanation of relevance of the items listed on forms PTO/SB/08a and PTO/SB/08b is not given.

☐ A concise explanation of relevance of [some of] the items listed on forms PTO/SB/08a and PTO/SB/08b is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

4. Related Applications:

☐ Applicant(s) bring to the Office's attention the following related application(s): U.S. Patent Application No. * filed *, now U.S. Patent No. *.

5. Conclusion:

Citation of the above documents shall not be construed as:


1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; and
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08a and PTO/SB/08b with initials or other appropriate marks. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518** referencing 7010852002.

However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: 6/29/05

By: 
Gerald Chan
Registration No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (650) 849-4400
Facsimile: (650) 849-4800

Substitute for form 1449A-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/086,103
Filing Date	February 27, 2002
First Named Inventor	Nina LEWIS
Art Unit	2161
Examiner Name	Cam Linh T. Nguyen
Attorney Docket Number	270/074; OI7010852002

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-5,708,812	01-13-98	Van Dyke et al.	
	2	US-5,768,519	06-16-98	Swift et al.	
	3	US-6,119,230	09-12-00	Carter	
	4	US-6,192,130 B1	02-20-01	Otway	
	5	US-6,253,216 B1	06-26-01	Sutcliffe et al.	
	6	US-6,321,259 B1	11-20-01	Ouellette et al.	
	7	US-6,339,423 B1	01-15-02	Sampson et al.	
	8	US-6,385,724 B1	05-07-02	Beckman et al.	
	9	US-6,768,988 B2	07-27-04	Boreham et al.	
	10	US-2002/0007346 A1	01-17-02	Qiu et al.	
	11	US-2002/0069223 A1	06-06-02	Goodisman et al.	
	12	US-2002/0078004 A1	06-20-02	Ambrosini et al.	
	13	US-2003/0195888 A1	10-16-03	Croft et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	14					
	15					
	16					
	17					
	18					
	19					
	20					

Examiner's
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.